

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

NO. 2:17-CV-00004-FL

SAVE OUR SOUND OBX, INC., THOMAS ASCHMONEIT, RICHARD AYELLA, DAVID HADLEY, MARK HAINES, JER MEHTA, and GLENN STEVENS,

Plaintiffs,

v.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, JAMES H. TROGDON, III, in his official capacity as Secretary of the North Carolina Department of Transportation, FEDERAL HIGHWAY ADMINISTRATION, and JOHN F. SULLIVAN, III, in his official capacity as Division Administrator for the Federal Highway Administration,

Defendants,

and

DEFENDERS OF WILDLIFE and NATIONAL WILDLIFE REFUGE ASSOCIATION,

Defendant-Intervenors.

NOTICE OF APPEAL

[Fed. R. App. P. 3, 4]

Notice is hereby given that Plaintiffs Save Our Sound OBX, Inc., Thomas Aschmoneit, Richard Ayella, David Hadley, Mark Haines, Jer Mehta, and Glenn Stevens appeal to the United States Court of Appeals for the Fourth Circuit from:

- the Order entered October 20, 2017, denying Plaintiffs' motion to compel completion of the administrative record, or in the alternative, production of extra-record evidence (ECF No. 75);
- the Order entered December 5, 2017, denying in part Plaintiffs' motion to amend the complaint (ECF No. 90);
- the Order and Judgment entered June 4, 2018, granting the Defendants' and Defendant-Intervenors' Motions for Summary Judgment and Denying the Plaintiffs' Motion for Summary Judgment (ECF Nos. 133, 134); and
- all other rulings and orders that are inextricably intertwined with or otherwise necessary to ensure meaningful review of the above.

Dated: June 7, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of June, 2018, I electronically filed a copy of the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing, and pursuant to Local Civil Rule 5.1(e), shall constitute service upon, the following:

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This the 7th day of June, 2018.

/s/ Zia C. Oatley
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